

Institute
and Faculty
of Actuaries

Assessment of Complaints

Guidance

by the Disciplinary Committee of
the Institute and Faculty of Actuaries

Version 1.2

1 November 2026

Assessment of Complaints

1. Introduction

1.1 This Guidance has been issued by the Disciplinary Committee of the IFoA.

1.2 It is for use by:

(a) Panels, to provide further detail on their powers and procedures to be followed;

(b) any other party, so they are aware of the powers of the Panel and procedures to be followed; and

(c) IFoA staff.

1.3 This Guidance aims to promote transparency and consistency in the approach of Panels and the IFoA staff.

1.4 This Guidance applies to all Complaints and applications being considered under the Disciplinary Scheme of the IFoA (effective 1 August 2023) (the Scheme). For Complaints that are being considered under a former version of the IFoA's Disciplinary Scheme, the version of the Guidance applicable to the former version of the Disciplinary Scheme should be applied to the extent that it is possible to do so, otherwise this Guidance will apply.

1.5 This Guidance should be read alongside:

(a) the Scheme; and

(b) any Regulations issued by the Disciplinary Committee; and

(c) any other relevant Guidance published by the Disciplinary Committee.

1.6 Where there is any conflict or inconsistency between the Scheme and this Guidance, the Scheme shall be followed. Where there is any conflict or inconsistency between Regulations and this Guidance, the Regulations shall be followed.

1.7 Definitions of defined terms used in this Guidance are set out in the Scheme and Regulations.

1.8 This Guidance should not be treated as legal advice. When appropriate, the Legal Adviser will advise the Panel on questions of law and/or procedure, which may include advice on the use of this Guidance.

1.9 The Disciplinary Committee will review this Guidance every three years or earlier if needed.

2. Aim

2.1 This Guidance:

(a) sets out the assessment criteria to be applied when considering whether to accept a Complaint; and

(b) notes the stages when the assessment criteria should be applied.

3. Assessment criteria

3.1 Not all Complaints the IFoA receives will be investigated under the Scheme. Each Complaint must be considered against the assessment criteria set out in the General Disciplinary Regulations.

3.2 Complaints must be received in writing from a named person. The name of the person, body or company submitting the Complaint (known as the Referrer) will be provided to the Members or former Members that are the subject of the Complaint. If the person, body or company does not wish to be named, any concerns they raise will be considered by an Executive Officer of the IFoA who will decide whether to refer a Complaint in accordance with Rule 3.2. In these circumstances, the person, body or company who raised the concern will not be treated as a Referrer and will not be provided with any further information about the IFoA's consideration of their concerns.

3.3 The default position is that a Complaint will be investigated unless it meets one or more of the criteria set out below.

The Complaint could not amount to Misconduct, even if the facts are proven

3.4 The Complaint should be considered alongside the definition of Misconduct. The alleged behaviour must be more than just a mistake or unprofessional behaviour, the conduct must fall significantly short of the standards expected of a Member. If the Complaint is unclear, the Referrer should be asked to clarify the terms of the Complaint.

3.5 The IFoA can only investigate conduct of its Members. Conduct by non-Members, companies, bodies, committees and other persons cannot amount to Misconduct. Where a Complaint is about the outcome of an IFoA function or process, rather than the individual conduct of a Member, this will not normally be capable of amounting to Misconduct unless there is evidence of bad faith or malicious intent on the part of the Member. The Disciplinary Scheme is intended to address the conduct of individual Members, rather than to review decisions made by committees, panels or boards. Where there are concerns about an IFoA incident, event, service or decision, they should be addressed through the appropriate complaints handling process. This approach should also apply to Complaints about processes and functions of actuarial regulatory bodies which are full members of the International Actuarial Association.

3.6 Misconduct can include conduct in a Member's professional and non-professional life; however non-professional conduct can only be considered to be Misconduct if it could reasonably be considered to reflect upon the profession. For example, a conviction which has occurred in respect of events in a Member's non-professional life may be considered to reflect upon the IFoA given the public nature of a conviction. If the conduct alleged is a private matter which occurred in the Member's personal life, it is unlikely to amount to Misconduct.

3.7 Misconduct can only include conduct which took place while the individual was a Member of the IFoA, subject to the exception explained below. Any conduct committed by an individual after they resign their IFoA membership cannot amount to Misconduct. Once a Member resigns their membership of the IFoA they are no longer held to the standards of behaviour, integrity, competence and professional judgement referred to in the definition of Misconduct. The exception to this is where a Respondent, who is a former Member, fails to cooperate with an IFoA investigation into conduct which occurred while they were a Member. In these circumstances, an additional allegation of Misconduct may be added in accordance with Rule 5 of the Scheme.

3.8 The types of behaviour which may amount to Misconduct include (but are not limited to):

- conduct which is dishonest;
- a lack of integrity;
- communications which are seriously offensive;
- poor quality service;
- poor quality of work;
- breach of confidentiality;
- breaches of the Actuaries' Code/Actuarial Profession Standards/Technical Actuarial Standards;
- criminal convictions; and
- disciplinary action taken by another body or process.

There is no reasonable prospect of proving the matter giving rise to the Complaint

3.9 At this stage, a decision is not made on whether there is sufficient evidence to establish that the alleged facts in the Complaint occurred. However, there must be a reasonable prospect of obtaining evidence to support the Complaint.

3.10 The assessment of what evidence is likely to be available will vary on a case-by-case basis. The Head of Disciplinary Investigations can ask the Referrer for further information. The Referrer may not have all the evidence available to send with the Complaint. If the Complaint is accepted for investigation, the IFoA will investigate to find further evidence. However, if it is clear from the outset that there is no documentary evidence supporting the Complaint in existence or that the witnesses will not cooperate with the IFoA's investigation, then it is unlikely that there will be a reasonable prospect of proving the matter giving rise to the Complaint.

3.11 Although Members are required to cooperate with an IFoA investigation, the IFoA does not have statutory powers which require non-Members to cooperate with investigations and provide evidence. The IFoA is therefore reliant on the voluntary cooperation of non-Members.

The matter giving rise to the Complaint should be considered by another body and/or court before being reassessed under Rule 3.3

3.12 Where jurisdiction over the subject matter of the Complaint primarily lies elsewhere, the IFoA will not normally consider it until that other body has completed its consideration of the matter.

3.13 For example, if a Member is also regulated by another body (for example, the Member's local actuarial association), it may be appropriate for that body to investigate the Complaint first before the IFoA considers the matter. The question about which is the appropriate body to consider the matter first will depend on the facts of each case.

3.14 If the Complaint relates to allegations of criminal conduct, this should be referred to the police (or other appropriate criminal enforcement body) in the first instance. If the Member is subject to civil or criminal court proceedings, the IFoA should not normally proceed with any investigation until the court proceedings have concluded. If a Member is convicted of an offence, the IFoA can take the Complaint forward based on the fact of the conviction. In the event a criminal investigation does not result in a conviction, the IFoA may still investigate the conduct in question if it appears that the alleged behaviour may amount to Misconduct and is capable of proof.

4. Initial consideration of Complaint by Head of Disciplinary Investigations

4.1 When a Complaint is received by the IFoA, it will be assessed by the Head of Disciplinary Investigations to consider whether the Complaint should be investigated or rejected. The Head of Disciplinary Investigations may nominate another person to assess the Complaint on their behalf.

4.2 During the assessment, the Head of Disciplinary Investigations will complete a short form recording their assessment of the Complaint. This must be completed whether or not the Complaint is being accepted for investigation. The assessment form to be completed by the Head of Disciplinary Investigations should contain the following information:

- the name of the Member/former Member;
- the date the Complaint was received;
- the name of the Referrer;
- a summary of the Complaint;
- a short summary of the Head of Disciplinary Investigations' consideration of each of the assessment criteria (as set out in section 3);
- a short summary of any preliminary enquiries undertaken (e.g. asking the Referrer for further documentation or clarification) or confirmation that no preliminary enquiries were taken; and
- whether the Complaint is accepted or not.

4.3 The assessment of the Complaint may require the Head of Disciplinary Investigations to complete some limited preliminary enquiries such as asking the Referrer whether they have any further evidence in support of the Complaint, asking the Referrer to clarify the Complaint or seeking information from the subject(s) of the Complaint.

4.4 The Head of Disciplinary Investigations should complete the assessment form within seven days of receiving the Complaint. If a longer timescale is required due to further investigation, this should be recorded on the assessment form.

4.5 If the Complaint is to be investigated, then the Complaint shall be accepted as an Allegation. The completed assessment form will be retained on the case file.

4.6 If it is recommended that the Complaint is not accepted for investigation under the Scheme, the completed assessment form and relevant papers will be forwarded to an Assessment Panel for consideration.

5. Consideration of Complaint by Assessment Panel

5.1 The Assessment Panel will consist of one Member and one Lay Person, drawn from the Disciplinary Pool. The members of the Assessment Panel will normally make their decision and agree the reasons for this via a secure electronic platform. The members of the Assessment Panel may meet to discuss the Complaint if needed. Any meeting of the Assessment Panel will take place in private.

5.2 The Assessment Panel should issue their decision within seven days of receiving the papers. The Assessment Panel's written decision should be brief and include:

- the name of the Member/former Member;
- the date the Complaint was received from the Head of Disciplinary Investigations or the date of the review request by the Referrer;
- the name of the Referrer;
- a summary of the Complaint;
- a short summary of the Assessment Panel's consideration of each of the assessment criteria (as set out in section 3); and
- whether the Complaint is accepted or not.

6. Complaints received through the Executive Referral process

6.1 An Executive Officer of the IFoA may refer a Complaint to the Head of Disciplinary Investigations. This may happen if concerns are raised anonymously (or by a person who wishes not to be identified), a Member reports their own conduct to the IFoA, or if the IFoA becomes aware of information about a Member through the media or other sources. In these circumstances, an Executive Officer of the IFoA will consider whether it is appropriate to refer a Complaint to the Head of Disciplinary Investigations. A Complaint made by an Executive Officer shall be considered in the same way as set out in the guidance above.

Document control

Version	Date of publication	Overview
1.0	1 August 2023	Guidance for Disciplinary Scheme effective 1 August 2023
1.1	1 November 2023	To clarify approach to Complaints about processes and functions
1.2	1 November 2026	To correct a typo and formatting



Institute and Faculty of Actuaries

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